



# SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

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## MEMORANDUM

Date: ~~October 7, 2014~~ January 5, 2016  
To: Megan Martin Project Planner  
From: ~~Frank Honeycutt~~ Glenn Marshall, Development Services  
Subject: **Public Works Comments on DRC2014-00024, Nipomo Group MUP Frontage, Rd., Juniper St. & Camino Caballo, Nipomo, APN 091-328-021, 024, 025, 026, 027 & 028**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

**~~PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:~~**

- ~~1. In accordance with the Land Use Ordinance, as the project is located in a Stormwater Management (MS4) Area, it is considered a regulated project and required to submit a Stormwater Control Plan Application and Coversheet.~~
- ~~2. Identify the parking lot surfacing.~~

**Public Works Comments:**

- A. The proposed project triggers ~~may trigger~~ Curb Gutter and Sidewalk requirements per 22.54.030 for fronting streets of all contiguous properties under the same ownership. Improvement plans must be submitted to Public Works for review and approval. Prior to building permit issuance the owner must post a performance bond in accordance with the Ordinance. The applicant may apply for a waiver through the Planning and Building Department in accordance with 22.54.030.D. However, there is no guarantee that a waiver will be granted. (It is noted that the curb and gutter but not the sidewalk are already in-place.)
- B. The proposed project is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52 of the Land Use Ordinance prior to future submittal of development permits.

- C. The project meets the applicability criteria for Stormwater Management. Therefore, the project is required to submit a Stormwater Control Plan Application and Coversheet. The Storm Water Control Plan application and template can be found at:

[http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new\\_stormwater/SWCP+Application+Pkg.pdf](http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/SWCP+Application+Pkg.pdf)

The Post Construction Requirement (PCR) Handbook can be found at:

[http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new\\_stormwater/PCR+Handbook+1.1.pdf](http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/PCR+Handbook+1.1.pdf)

**Recommended Project Conditions of Approval:**

**Access**

1. **At the time of application for construction permits**, public improvement plans shall be prepared in compliance with Section 22.54.030/23.05.106 (Curbs, Gutters and Sidewalks) of the Land Use Ordinance and San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works. The plan/s is/are to include, as applicable:
  - a. Street plan for constructing frontage improvements including sidewalk and driveways along **Juniper St.** to complete the project side of a County Standard street section fronting the properties. All existing and proposed driveways shall be constructed or reconstructed in accordance with County Standard drawings.
  - b. Striping and Signage plan for separately channelizing left and right turn movements on northbound Mary Avenue at Juniper Street.
2. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a deposit with the County for the cost of checking the improvement plans and the cost of inspection of any such improvements by the County or its designated representative. The applicant shall also provide the County with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
3. **Prior to occupancy or final inspection**, a Registered Civil Engineer must certify to the Department of Public Works that the road improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
4. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.
5. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage sidewalks, landscaping, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

**Drainage**

6. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance. All drainage must be retained on-site and the design of the basin shall be approved by the Department of Public Works.

7. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
8. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Stormwater Control Plan.
9. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

#### Fees

10. **Within 30-days of Land Use Permit approval**, the applicant shall pay the South County Area 1 Road Impact Fee to the Department of Public Works in accordance with the latest adopted fee schedule. Afternoon peak hour trip generation rates shall be derived from the City of San Diego Trip Generation Manual for Recreational Vehicle Dealerships, or as submitted by the applicant's engineer and approved by Public Works.

#### Stormwater Pollution Prevention

- ~~10-11.~~ **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.
- ~~11-12.~~ **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.
- ~~12-13.~~ **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

**Reference: DRC2014-00024 NIPOMO GROUP – Minor use permit to allow expansion of the existing RV storage and sales lot into adjacent parcels.**

**Site location: 245 N Frontage Rd Nipomo**

**APN 091-328-027 and 028**

**APCD OIS # 3931-1**

**APCD recommended comments:**

**CONSTRUCTION PHASE IMPACTS - Below Threshold**

The APCD estimates that the construction phase impacts will likely be less than the APCD's significance threshold values identified in Table 2-1 of the CEQA Air Quality Handbook (available at the APCD web site: [www.slocleanair.org](http://www.slocleanair.org)). **Therefore, with the exception of the requirements below, the APCD is not recommending other construction phase mitigation measures for this project.**

**Dust Control Measures**

The project, as described in the referral, will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site.

**APCD staff recommends the following measures be incorporated into the project to control dust, since images in the project referral indicate that residences may be within 1000 feet of the grading areas. Grading areas that are within 1,000 feet of any sensitive receptors (residences, schools, day care centers, hospitals, nursing homes, assisted living facilities, etc.) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):**

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. **Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
- c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM<sub>10</sub> mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

#### Permits for Equipment

Based on the information provided, we are unsure of the types of equipment that may be used as part of land management activities. Portable equipment used during land management activities may require statewide registration or an APCD permit. Additionally, future developments may require APCD permits and/or applicants may need to apply for an Authority to Construct. Please contact our Engineering Division at (805) 781-5912 for more information on APCD permits. The following list is provided as a guide to equipment that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the APCD's 2012 CEQA Handbook.

- Portable generators and equipment with engines that are 50 hp or greater; and
- Internal combustion engines.

**To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

#### Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing buildings or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 and also go to <http://slocleanair.org/business/asbestos.php> for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of: <http://slocleanair.org/business/onlineforms.php>.

#### Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** If you have any questions regarding these requirements, contact the APCD Enforcement Division at 781-5912.



{In Archive} RE: DRC2014-00024 NIPOMO GROUP, South County  
E-Referral, MUP, Nipomo

Michael LeBrun to: mamartin@co.slo.ca.us  
Cc: "dhawkins@co.slo.ca.us"

09/30/2014 09:47 AM

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Ms. Martin,

Nipomo CSD maintains the drainage basin that the proposed development would surround. We also provide water and sewer service to the area.

The proposal would render impervious, or less pervious, over 9 acres of land. The runoff generated by this change must be evaluated in the context of the drainage basin and mitigated if necessary.

Our records show that the proposed development is within the CA RWQCB's septic system prohibition area – the County will want to verify this. NCSD sewer mains run down Juniper Street adjacent to the parcels proposed for development – so sewer is immediately available.

Additionally, RV wastewater is especially problematic because it is stabilized with chemical additives (industrial products). These additives must be broken down before the human waste can be treated. Therefore RV storage and service facilities that discharge to septic systems present a serious threat to our area groundwater. We are aware the County has permitted numerous RV rental, repair, and storage facilities within Nipomo and across the Mesa – we encourage the County to review those facilities and the impact they are causing and to cease permitting additional facilities.

The District has sewer capacity to serve the proposed development and feels sewer service is a must given the waste type and State regulations.

The District requires separate metered service to each parcel requiring water service.

The applicant indicates they have a Will Serve letter – Please provide a copy of any such letter.

The applicant will need to apply to NCSD for water and sewer service and has not done so.

Please confirm your receipt of this email which represents the District's initial concerns for the proposed project.

Thank you,

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**Michael S. LeBrun, P.E.**  
**General Manager**

Nipomo Community Services District  
148 South Wilson Street



**{In Archive} Re: DRC2014-00024 NIPOMO GROUP, South County E-Referral, MUP, Nipomo**

Charles Riha to: Megan A Martin  
Cc: Cheryl Journey, Stephen Hicks

10/17/2014 11:00 AM

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Megan,

These are the Building Division Comments to be incorporated into the Conditions. Please call me if you have any questions.

**Comments from Building Division:**

1. All plans and engineering shall be prepared by a California Licensed Architect or Engineer of Record.
2. The project is subject to a grading permit that shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
3. The project will require a full soils report at the time of construction permit application submittal.
4. The project is subject to the California State Title 24 accessibility laws.

Charles Riha, Plans Examiner III



PLANNING & BUILDING  
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<http://www.sloplanning.org>  
<http://www.facebook.com/SLOPlanning>  
<http://twitter.com/SLOCoPlanning>

**New Business:**

**A. DRC2014-00024 NIPOMO GROUP**

Proposed minor use permit to allow the expansion of the existing RV storage and sales lot into the adjacent parcels. Site location is 245 N. Frontage Rd. Nipomo. APN: 091-328-027 and 028.

Planner Megan Martin presented the project. It consists of two parking areas. The area adjacent to Juniper is intended for overflow parking of RV's that are for sale on the property. The second parking area is for improvement of an existing non-permitted parking lot that is only used to support the adjacent swap meet business.

- The lot would expand parking for the swap meet by approximately 200 to 300 spaces, and would formally permit the area that the applicant claims is currently grandfathered as swap meet parking.
- The RV Sales Lot would use the overflow RV parking to consolidate another RV facility with this one.
- No vehicle washing would be allowed on the two new lots.
- The county requires "percolation" parking surfaces on this project instead of paved surfaces.
- The applicant would improve two driveways that access Juniper, and would add concrete aprons to improve flow during swap meets, and to reduce dust being carried from the parking lot to the street.
- Charlie Clouse, consultant for the applicant, claims a road re-striping project on Mary would improve flow on the roadways (another project). It would provide a left turn lane the entire length of Mary from Juniper to Tefft. He reports that a dual signal timing system is being implemented for Swap Meet hours (different flow than the rest of the week).

**Public Comments (DRC2014-0024)**

- John Snyder advised the SCAC that paved surfaces with collection areas are much more effective at recharging the aquifer than using percolated parking surfaces. He also suggested that the existing recharge area is adequate to support the added parking surface if it is paved, and suggested that the county change their requirement to using pavement.
- Many members of the public commented on the terrible situation with traffic flow during swap meets, and commented that adding 200 to 300 new parking spaces could encourage addition swap meet attendance and exacerbate the traffic flow.

Council Discussion (DRC2014-0024)

Motion made by Art Herbon, seconded by Patricia Duran:

- Table the parking lot project until the SCAC has had a chance to review and advise on the related Juniper and Mary traffic study. Request the Traffic and Circulation Committee review the Juniper and Mary traffic project at the next committee meeting, and place the project on the next SCAC meeting agenda.
- Motion approved by acclamation.

**B. DRC20 14-00018 Mesa Dunes**

Proposed minor use permit to allow for a phased commercial retail project. Phase One consists of three small retail buildings totaling 1,400 sq.ft. covered by a single roof. Phase One also includes associated parking, landscaping, an existing bathroom located within an existing residence to the north. Phase two consists of a future 3,700 sq.ft. retail building and additional parking area. Phase Three consists of the future removal of the Phase One building and replacement with a 5,000 sq.ft. retail building. The project will result in a disturbance of approximately 24,000 sq.ft. The proposed project is south of Tefft St. and west of Blume St. in the community of Nipomo. The site is in the South County Inland planning area. Site location is 719 Tefft St. Nipomo. APN:092-577-001.

Motion by Art Herbon and second by Vince McCarthy to table the item to next next meeting since the applicant was not in attendance. Motion approved.

**C. Resource Management Study**

Senior Planner Brian Pedrotti presented the Resource Management Study:

- The study went before planning commission in September, and goes before the Board of Supervisors in December. The study covers management of resources in the inland coastal regions of San Luis Obispo. It is a bi-annual report.
- The report seeks to identify resource requirements according to projected (lead-time sensitive) levels of severity (LOS). LOS-3 is worst; LOS-1 is OK.
- Changed made to the bi-annual report are:
  - Water – increase lead-time sensitivity for evaluating severity.
  - Parks – issues related to actions and monitoring.